

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PHOENIX LIGHT SF LTD. et al.,

Plaintiffs,

-against-

WELLS FARGO BANK, NATIONAL
ASSOCIATION,

Defendant.

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COMMERZBANK A.G.,

Plaintiff,

-against-

WELLS FARGO BANK, N.A.,

Defendant.

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NATIONAL CREDIT UNION
ADMINISTRATION BORAD, et al.,

Plaintiffs,

-against-

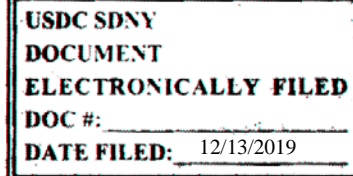
WELLS FARGO BANK, N.A.,

Defendant.

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SARAH NETBURN, United States Magistrate Judge:

On November 27, 2019, the parties submitted a joint letter requesting leave to file additional pages in briefing of their summary judgment and Daubert motions. Phoenix Light, ECF No. 497; Commerzbank, ECF No. 454; NCUA, ECF No. 483. The Court held a telephone conference on December 6, 2019, and directed the parties to file letters summarizing their proposals. See Phoenix Light, ECF Nos. 498, 499; Commerzbank, ECF Nos. 455, 456; NCUA,



14-CV-10102 (KPF)(SN)

ORDER

15-CV-10033 (KPF)(SN)

14-CV-10067 (KPF)(SN)

ECF Nos. 486, 487. After review of the parties' proposals, the following briefing schedule shall apply to the forthcoming summary judgment and Daubert/702 motions in these cases:

1. Daubert/702 Motions:

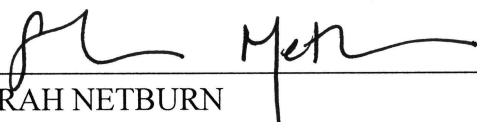
- a. Phoenix Light and Commerzbank cases. By March 13, 2020, Defendant shall file one combined Daubert/702 motion, not to exceed forty (40) pages. By May 12, 2020, Phoenix Light and Commerzbank Plaintiffs shall file a combined cross-motion and motion in opposition, not to exceed seventy-five (75) pages. By June 11, 2020, Defendant shall file an opposition to Plaintiffs' motion and reply in support of its own motion, not to exceed fifty (50) pages. By July 13, 2020, Plaintiffs shall file a reply in support of their motion, not to exceed fifteen (15) pages.
- b. NCUA case. By March 13, 2020, Defendant shall file its Daubert/702 motion, not to exceed thirty (30) pages. By May 12, 2020, NCUA shall file a cross-motion and motion in opposition, not to exceed fifty-five (55) pages. By June 11, 2020, Defendant shall file an opposition and reply in support of its own motion, not to exceed thirty-five (35) pages. By July 13, 2020, NCUA shall file a reply in support of its motion, not to exceed ten (10) pages.

2. Summary Judgment Motions:

- a. Phoenix Light and Commerzbank cases. By March 13, 2020, Defendant shall file a combined motion for summary judgment in both cases, not to exceed seventy (70) pages. By May 12, 2020, Phoenix Light and Commerzbank Plaintiffs shall file a combined motion in opposition, not to exceed seventy (70) pages. By June 11, 2020, Defendant shall file a reply, not to exceed thirty (30) pages.
- b. NCUA case. By March 13, 2020, Defendant shall file a motion for summary judgment, not to exceed thirty-five (35) pages. By May 12, 2020, NCUA shall file a motion in opposition, not to exceed thirty-five (35) pages. By June 11, 2020, Defendant shall file a reply, not to exceed fifteen (15) pages.
- c. This schedule assumes that the Plaintiffs are not filing cross motions. The Plaintiffs are ordered to file a joint letter by March 27, 2020, advising the Court whether any Plaintiff intends to file a cross motion for summary judgment and, if so, whether additional pages for the brief are necessary.

SO ORDERED.

December 13, 2019
New York, New York



SARAH NETBURN
United States Magistrate Judge